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December 11, 2007

VIA FACSIMILE

Crystal S. A. Scott, Esq.
The Bostany Law Firm
40 Wall Street - 61st Floor
New York, NY 10005

Re: *GMA Accessories, Inc. v. Eminent, Inc. et al.*, 07CV3219(LTS)

Dear Ms. Scott:

In response to your letter of December 10, 2007, please note that we have previously informed your firm that Intermix, Jonathan Singer and Wink NYC, Inc. are not available on their noticed dates. Contrary to the suggestion in your letter, we did not state merely that these dates "might not be convenient" for these defendants. A representative from Wink NYC, Inc. will be available during and after the week of January 7. A representative from Intermix will not be available until mid-January. We are awaiting alternate dates from Mr. Singer and will provide those to you as soon as we obtain that information.

Your office has also been made aware that Lewis Tierney and a representative from Lisa Kline are available on their noticed date -- December 17, 2007. However, as you are undoubtedly aware, Lisa Kline is in Los Angeles and a representative will be available to sit for a deposition on December 17 in Los Angeles, not New York. The notices of deposition call for the Tierney deposition to begin at 12:00 p.m. and for the Lisa Kline deposition to begin at 2:00 p.m. Obviously, we cannot agree to have both depositions go forward on December 17, unless you tell us that two separate lawyers from your firm will conduct the depositions on the same day in New York and in Los Angeles. Furthermore, given that the responses to the document requests served upon Tierney and Lisa Kline are not due until December 14, and that both clients are still in the process of gathering responsive documents, it seems to make little sense to proceed with either of these depositions next week. I would suggest that both of these depositions be rescheduled for sometime in January after the totality of documents from these defendants have been gathered and produced to your firm and you have had ample time to review them.

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